



Substitute House Bill No. 6286

Public Act No. 09-78

AN ACT SHIELDING FIRE DEPARTMENTS THAT INSTALL SMOKE AND CARBON MONOXIDE DETECTORS FROM LIABILITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2009*) (a) For the purposes of this section "fire department" includes any municipal fire department, independent fire department, fire district, independent fire company, volunteer fire department and any member thereof; "device" includes any battery-operated or plug-in smoke detector, carbon monoxide detector, or combination smoke and carbon monoxide detector; and "installation" does not include the alteration or installation of electrical wiring.

(b) A fire department that delivers to, or installs at, residential premises a device or batteries for such a device shall not be liable for civil damages for personal injury, wrongful death, property damage or other loss, provided (1) such installation was done in accordance with the manufacturer's instructions, and (2) such installation or delivery was in such department's official capacity.

(c) Any device delivered or installed pursuant to subsection (b) of this section shall be new and shall meet all applicable current safety and manufacturing standards.

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(d) Any fire department that delivers or installs a device in accordance with this section shall keep records documenting every such delivery or installation for not less than five years after such delivery or installation.

(e) Nothing in this section shall be construed to limit or otherwise affect the obligations and duties of the owner or occupier of the residential premises receiving such delivery or installation services.

Approved June 2, 2009